



## VILLAGE OF POMONA

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### PLANNING BOARD AGENDA WEDNESDAY - DECEMBER 15, 1999 8:00 P.M.

1. ADOPT PLANNING BOARD MINUTES DATED:  
11/17/99

2. APPLICANT:  
ISAAC BUCHINGER  
POMONA POINT ASSOCIATES, LTD.  
30 EISENHOWER AVENUE  
SPRING VALLEY, NEW YORK 10977

RE: CONTINUATION OF PUBLIC HEARING FROM:  
11/17/99  
HIGHGATE ESTATES - LOT H-3  
SITE DEVELOPMENT PERMIT (STEEP SLOPE LAW)  
CONSTRUCTION OF ONE-FAMILY HOUSE

REPRESENTED BY:  
DAVID ZIGLER, P.E.  
ATZL, SCATASSA & ZIGLER  
234 NORTH MAIN STREET  
NEW CITY, NEW YORK 10956

DONALD TIRSCHWELL, ESQ.  
108 NEW HEMPSTEAD ROAD  
NEW CITY, NEW YORK 10956

3. RABBI FROMOWITZ  
YESHIVA OF SPRING VALLEY  
230 MAPLE AVENUE  
MONSEY, NEW YORK 10952

RE: INFORMAL APPEARANCE FOR A PRIVATE PRIMARY  
SCHOOL AND PRE-SCHOOL

REPRESENTED BY:  
DENNIS ROCKS, P.E.  
LEONARD JACKSON ASSOCIATES  
26 FIREMENS MEMORIAL DRIVE  
POMONA, NEW YORK 10970

VILLAGE OF POMONA  
PLANNING BOARD MEETING  
DECEMBER 15, 1999

PRESENT: Mel Cook, Chairman  
Alan Lamer  
Alma Roman  
Joy Shulman  
Nik Winter

Attorney Lawrence A. Codispoti  
Deputy Clerk Carolyn La Chiana  
Mark Healey, Frederick P. Clark Associates, Inc.

ABSENT: P. J. Corless, Village Engineer

1. Adopt Planning Board Minutes of 11/17/99

Chairman Cook: "Okay, we'll start the meeting."

Deputy Clerk La Chiana: "The Planning Board agenda for Wednesday, December 15, 1999 at 8 p.m. The first, Mr. Chairman, would you like to adopt the Planning Board minutes dated November 17, 1999?"

Chairman Cook: "Any comments, any changes on the minutes? I want to have a motion to adopt the Planning Board minutes."

Member Roman moved to adopt the minutes of 11/17/99, seconded by Member Lamer. Motion carried 4-0.

2. Applicant: Isaac Buchinger  
Pomona Point Associates, Ltd.  
30 Eisenhower Avenue, Spring Valley, NY 10977  
Re.: Continuation of Public Hearing from 11/17/99  
Highgate Estates - Lot H-3  
Site Development Permit (Steep Slope Law)  
Construction of one-family house

Represented by: David Zigler, PLS  
Atzl, Scatassa & Zigler  
234 North Main Street, New City, NY 10956

Donald Tirschwell, Esq.  
108 New Hempstead Road, New City, NY 10956

been previously submitted to the Board, and they would be voting on it. I don't think it's necessary to open it for approval."

Chairman Cook: "Okay, I guess that's it then."

Mr. Tirschwell: "We thank you."

3. Rabbi Fromowitz  
Yeshiva of Spring Valley  
230 Maple Avenue, Monsey, NY 10952  
Re: Informal appearance for a private primary school and  
Pre-school  
Represented by: Dennis Rocks, P.E.  
Leonard Jackson Associates  
26 Firemen's Memorial Drive  
Pomona, NY 10970

Chairman Cook: "Rabbi Fromowitz of Yeshiva of Spring Valley. Are you Rabbi Fromowitz?"

Rabbi Fromowitz: "Yes, I am."

Deputy Clerk La Chiana: "Rabbi Fromowitz is here on an informal appearance for a private primary school and pre-school. He is represented by Dennis Rocks, P.E., Leonard Jackson Associates, 26 Firemen's Memorial Drive, Pomona, New York."

Rabbi Fromowitz: "I also have with me, for your pleasure this evening, the architect for the project, David Mayerfeld, the President of the school, Joseph Kazarnovsky and the Chairman of the Board, Moshe Finkel. Because we think this is going to be an exploratory meeting with you, so we'd like to have as much input as possible on our side and to try to figure out what it is that you're looking for. Okay, we have the narrative as it was presented, essentially what we are attempting to do is to build a school building, a primary school which is kindergarten through eighth grades on the site that we purchased. The initial project would initial entail a building of approximately 100,000 square feet and we've tried as best as possible to locate it on the site. The site has approximately 100 acres. In terms of locating the building, what we attempted to do was to preserve what I think is one of the most beautiful mountains in the area. We have a beautiful campground on top of this hill where we have run this past summer. We have run a summer camp, I believe the camp dates back to the 30's. I think it was Camp Williams, it was Camp Dora Golden in the past and we want to retain the beauty of the mountain. There's some gorgeous 60 to 80 foot evergreens on top of that mountain and we'd love to retain as much of the natural beauty as possible. So in terms of looking at the site and what would be best to develop it, we thought that the slope coming up to the mountain would be

the best area. It would still be set back very far from the road, from Route 306 and would, therefore, not be something you'd see from the road itself and it still not infringe on the mountain so we can continue to enjoy the fields, the playing areas for our children."

Member Shulman: "Would it be seen from 306 and from 202?"

Rabbi Fromowitz: "Right, definitely not from 202 because it's very, very steep on 202. You wouldn't see anything, I don't know anything about this steep law but, it's kind of steep up there."

Member Winter: "You have to watch out for that."

Rabbi Fromowitz: "I have to figure out what that is first."

Member Roman: "Rabbi, where is the mountain? I live around there, I've never seen a mountain. Is it a hill or a mountain?"

Rabbi Fromowitz: "Well, it depends on how you define it. You know, to me it's a mountain, I'm a city boy, so....."

Member Roman: "Is there a mountain back there?"

Rabbi Fromowitz: "Well, you can call it a hill or whatever it is, it's a beautiful piece of land on top of the hill and it's I'm sorry....."

**Note: Board overtalking each other, I could not transcribe.**

Chairman Cook: ".....it's not visible."

Rabbi Fromowitz: ".....and elevated area, okay."

Member Lamer: ".....when I grew up in Carnarsie that was a mountain."

Rabbi Fromowitz: "That's right. Carnarsie, Carnarsie, I think anything's a mountain. I'm from Brooklyn too, so we're all....."

Chairman Cook: "What about the rest of the land? You're not using a lot of it."

Rabbi Fromowitz: "Right, right now there are no plans to use the rest of the land. We are essentially a primary school, that is what we do. We operate a school on Maple Avenue on Route 306. We just built a beautiful building for our girls facility on Grandview Avenue, which is in unincorporated Ramapo. And we want to move from what we call the downtown area of 306 and Maple Avenue, we want to move out to the beautiful nature of the Village of Pomona. We want

to retain it, we want to retain the beauty. We don't want to build a hundred homes, we're not looking for that, we're not looking to develop this area. We want to retain as much of the natural beauty as possible."

Chairman Cook: "How much of that 100 acres is wetlands?"

Rabbi Fromowitz: "The approximation is about 20 to 30 acres and that's around the perimeter, essentially it's around the back, what I would consider the back of the property if you consider Route 306 the front of the property."

Chairman Cook: "So the 100 acres, 20 acres of that is wetlands. How many acres is the school taking up?"

Rabbi Fromowitz: "Now the actual development of the school itself would be under 10 acres. The whole circle would be under 10 acres."

Chairman Cook: "The ..... is, you've got a large area here that's not being used and it's not in the wetlands."

Rabbi Fromowitz: "Yes, well, we certainly want to retain the area as a playground, we want to retain the area where there's a swimming pool, the area where there are beautiful land, the easiest thing for us to do, let me backtrack a little bit. The easiest thing for us to do in terms of the building itself, as builders, and I have built several projects myself, the easiest thing to do would be to use the top of the mountain, the most cost efficient and not worry about the slope. But we've been wracking our brains at is trying to develop it so that we can retain the top of the hill or mountain, however you want to call it, and retain the beauty of that. The trees up there are magnificent, I sometimes in an afternoon drive up there and just walk around, it clears my mind. It's just a beautiful, beautiful area and we want to retain that."

Chairman Cook: "Is there a summer camp going to be there?"

Rabbi Fromowitz: "Yes, God willing, our summer program is part of what we consider a 12-month program. Many of our children like to stay in the area during the summer, that's why we've moved up here from Brooklyn and from other areas so that we can enjoy the beautiful environment up here during the summer and even this past summer we've had about 400 children up there."

Chairman Cook: "So it would be 12 months a year the school would be operating. Either the school or the....."

Rabbi Fromowitz: "...correct."

Chairman Cook: "Now, is the camp itself under your jurisdiction or is it leased to a private concern?"

Rabbi Fromowitz: "It's under our jurisdiction."

Chairman Cook: "There was some mention that it was a private enterprise...."

Rabbi Fromowitz: "...that's incorrect. I mean, we hire different personnel. We don't have our regular school personnel running it. We've hired people that are more experienced in running day camps than in running a school. It's a different kind of a program of course. So, we've hired the individual who runs the camp for us, but it's under the Yeshiva of Spring Valley."

Chairman Cook: "It's not subcontracted to another company?"

Rabbi Fromowitz: "Not at all, no."

Chairman Cook: "Nik, you had a question?"

Member Winter: "Yes, I had a couple of questions. First of all about the existing camp buildings, there was some mention that some were going to be eliminated and some were going to be kept."

Rabbi Fromowitz: "Correct."

Member Winter: "How is that indicated on this map? You have one building marked 'to remain', is that the only one?"

Rabbi Fromowitz: "Well, that's the most important, that's the largest of the buildings. That's a dining room where the children eat during the summer and that's a very nice building, we'd like to retain that. The other buildings that we're talking about taking down are the buildings that are actually in the spot where the school building is going to go and those buildings were essentially bunk houses where the children stayed overnight. It was a sleep away camp. We have no intention of using it as a sleep away camp because our children live in the area so they get bused up to day camp."

Member Winter: "Oh, buses."

Rabbi Fromowitz: "Oh, we just love buses, right. But, so those bunk houses don't really have a, they're really not necessary, once the school gets built. Right now, this past summer we were using them as classrooms essentially because we do have some learning programs during the summer as well. Once the school building is up we have no need for that because they'd be able to use the regular classrooms in the building."

Member Winter: "So this dining hall is the only building that will remain?"



Rabbi Fromowitz: "No, there are some other buildings on the other side of the elevated area, let's call it the elevated area. It should be on that site plan. Well, we want to retain as many as possible, that's our purpose."

Member Winter: "They don't say to remain that's why they don't show on here."

Mr. Healey: "I think this plan is really just to start discussions."

Member Roman: "I just have one question. Are there any plans to ..... of putting dormitories in there. That's what I heard."

Rabbi Fromowitz: "None whatsoever, none whatsoever. This is a primary school. This is a young children's, the children all live within a two or three mile radius, a four mile maximum. I mean we do have several children coming from New Jersey, even from Connecticut over the years, but a very, very small number of students."

Member Roman: "But they will not be housed at the....."

Rabbi Fromowitz: "No, no, we have no intention of housing the children on the site."

Member Shulman: "Will any one be walking to school?"

Rabbi Fromowitz: "Well, even right now, we've got children who live next store to the school but with the universal busing as part of the situation, all of the children get bussed. Sometimes they walk if they really want to, sometimes they bike to school. You know that's up the children, we don't necessarily recommend it. In fact, if a child wants to leave school by foot, they need to bring a note so that they have permission. They have to bring a note from their parents saying that they give them permission to do that."

Member Roman: "You have no intentions to have any residential kind of facility around that site? That's what's floating around, that I hear."

Rabbi Fromowitz: "I have no idea who started that rumor."

Mr. Healey: "There's a school in Wesley Hills that's proposing to put dormitories, on Grandview Avenue, that may be the school their talking about."

Member Roman: "....I just heard neighbors talking about dormitories, but I don't....."

Rabbi Fromowitz: "This is a primary school. Primary school children should be living at home."

Member Winter: "They don't send them away until later on."

Rabbi Fromowitz: "That's right."

Chairman Cook: "Do you indicate anywhere the number of students in the school?"

Rabbi Fromowitz: "We're talking about 800 students."

Chairman Cook: "In both schools?"

Member Shulman: "In the primary?"

Rabbi Fromowitz: "Yes, in the primary school. Now, let me point out what the pre-school is and the reason that's a separate facility. What we would like to do conceptually, and this is where we want to get your feedback, is we'd like to get approval for one large primary building and then we think in terms of the educational benefits to the children, that the younger children, what we call the kindergarten, the 3 year olds, the 4 year olds, or what you may call nursery school, should be in a separate facility, a separate building. The reason for that is because the children often get overwhelmed by these older kids running around, running over them unfortunately sometimes, and we thought it would make sense to separate that out. If we have the funds and that's why we'd like to submit it as a package, we'd like to possibly build it in two phases. Build the main building, approximately 100,000 square feet initially, and if we have the funds to continue to build the additional 20 to 30,000 square feet, which would be a pre-school for the children."

Chairman Cook: "How many children in the pre-school?"

Rabbi Fromowitz: "Right now we have about 150, but I'm not sure how that's going to expand as time goes on and again, that's really a function of what we can afford to build."

Mr. Healey: "How large is your existing pre-school?"

Rabbi Fromowitz: "It's about 150 students now."

Mr. Healey: "In terms of square feet....."

Rabbi Fromowitz: "Let me explain, right now the pre-school is integrated into our regular operations. So, for instance, on the Grandview site where we have our girls facility right now, we have 7 classrooms that are designated for the pre-school."

Member Shulman: "What size is that building?"



Rabbi Fromowitz: "It's 75,000 square feet."

Member Winter: "Is that the one on the corner of Grandview and Spook Rock?"

**Note:** A chorus of 'no's'.

Rabbi Fromowitz: "We're about 100 yards west of Route 306. Across from the Grandview School."

Member Roman: "That one I've seen, but I....."

Rabbi Fromowitz: "Yes, that one we just finished about a year ago."

Member Shulman: "Is that the one that proposed dormitories?"

Rabbi Fromowitz: "No."

Member Shulman: "It has nothing to do with you guys?"

Rabbi Fromowitz: "No, nothing to do with us."

Chairman Cook: "How many students do you have now, in total?"

Rabbi Fromowitz: "In total, we have 1600 students and ....."

Chairman Cook: ".....not the school there, the one....."

Rabbi Fromowitz: "....we have about 800 and 800. We've got, it's split about evenly. We separate the boys and girls, we're old fashioned in that regard."

Member Shulman: "You have about 800 in the girl's school?"

Rabbi Fromowitz: "Correct, a little bit less, about 750."

Member Shulman: "That's 75,000 square feet so this is another 25,000 square feet bigger and you're looking at the same number of kids?"

Rabbi Fromowitz: "Correct and I'll explain the reason for that. The reason is, and I don't want to sound sexist or anything but, we think that the boys needs more in terms of play areas, internal play areas, also a very big thing in....."

Member Shulman: ".....this is going to be a boy's school?"

Rabbi Fromowitz: "Yes. ....in terms of what our needs are, a large synagogue is very essential in a boy's school, more than a girl's school. That's an orthodox tradition, so that's going to add a couple thousand square feet as well. The girls, they pray in their classrooms, it's a little bit more private. Our boys get together in a large sanctuary, it's a somewhat different education philosophy. So, that's the reason for the difference, and the truth as well is, that we're cramped on Grandview, we are cramped."

Member Shulman: "....already?"

Rabbi Fromowitz: "Yes, thank God, yes we are. We have a lot of kids, we run a very good program, we're very popular and we hope to continue to attract students."

Chairman Cook: "Your school operate on Sunday?"

Rabbi Fromowitz: "We operate on Sunday, a couple of hours on Sunday. We have Sunday morning classes, religious classes only on Sunday."

Member Shulman: "Do you have camp on Sunday?"

Rabbi Fromowitz: "No. Our camp is Monday through Friday."

Member Winter: "I was going to ask about the wetlands on the property."

Member Shulman: "I'm concerned about the rest of the property."

Member Winter: "Well, it appeared, unless I'm reading this wrong which is possible, that there might have been areas of wetlands in the development area. Is that correct, or am I, what is that?"

Mr. Healey: "No, the development area is on the top of the ridge. Elevation 525 and above and the wetlands are far below to the North."

Member Winter: "Oh, those are letters, I thought, never mind, I'm sorry, I knew I was looking at that wrong."

Member Lamer: "I have one question in terms of the traffic impact to 306. Are you doing any traffic studies?"

Rabbi Fromowitz: "We've already done that. We've already started that process, we've actually taken an engineering firm to do a traffic survey so that we know that we can handle....."

Member Lamer: ".....the number of buses....."

Rabbi Fromowitz: "Absolutely, absolutely."

Member Lamer: "....as opposed to buses going the opposite way."

Member Winter: "Especially in the summer when the other buses that are in the area....."

**Note:** Board discussing among themselves the bus traffic on the roads.

Rabbi Fromowitz: "We've initiated that already so we know, you know, that's something that we're going to have to do. I think it's a twelve month study."

Member Roman: "My other concern is will there be any other kind of structures.....I would like to assured that it will remain ....."

Rabbi Fromowitz: "Well right now we have no plans for further development. There's nothing on the table that we are planning at this moment. If there would be a future plan we would come before the Planning Board once again for additional, you know, development. But I can't tell you right now of any other development because there is nothing, that we're planning at this point."

Chairman Cook: "Joy, you have anything further?"

Member Shulman: "Not at the moment."

Chairman Cook: "Okay, it looks pretty good."

Mr. Healey: "Mr. Chairman, if I could offer some comments to the Board. I took a look at the zoning for schools in the Village and they really stink, to put it straight. They only requirement is that they have to have five acres of land and the setbacks have to be twice what is ordinarily required. So that leaves an open question of issues that several members of the Board brought up. What can happen in the future? It looks okay now, but look at the property, it's 100 acres and there's a lot of potential out there. So, I would recommend that perhaps the applicant going back and doing more detailed plans, and doing a traffic study and everything else for the Village to seriously consider looking at it's requirements for schools and address such issues as perhaps, more detailed or more tailored lot area requirements. It's common to have lot area based on the number of students. So you can have say 5 acres, and say you have to have another .1 acre per student. So you wouldn't restrict them from doing what they want to do but it would assure the Village that they're not going to go down the road and develop a lot more in the future. Especially considering the constrained nature of the site and also the constrained nature of the surrounding road ways, in terms of traffic."

Member Shulman: "So you're recommend in your report, they're the ones who decide on how the Board ...how it looks....."

Member Winter: ".....maybe we should recommend that as a Board."

Mr. Healey: "...we could work out how it would actually be worked out, we could work with you, and the Board could recommend something to the Village Board."

Chairman Cook: "Do we have a legal right to do that in terms of, they have the space, can they not five or seven years from now put up an additional school, or do we have the right to limit that?"

Mr. Healey: "It's my understanding in ..... Correct me if I'm wrong, but schools are a protected use under New York State Law. You're not allowed to prohibit them, but you are allowed, permitted to put reasonable standards on their development and operations....."

**Note: Board member overtalking Mr. Healey I could not transcribe what he was saying.**

Member Shulman: "You think our law is lacking in some of this."

Mr. Healey: "I don't think it's obviously lacking, theoretically, I did a very rough estimate, but based on the fact it's a 100 acres and the maximum building coverage is 10%, they could do two stories, that's over 800,000 square feet of development. Now of course this has steep slopes and wetlands, they could never get any where near that. But, ..... they have a lot more than the 135 that they're talking at this point. So, it's a very important issue that I think the Board should be looking at."

Chairman Cook: "What's the next step? Are you going to be sending something to....."

Mr. Healey: ".....look at the property. I think I'd use some more information from the applicant in terms of the number of students that they have and the developing programs so, I would want to draft something and, or recommend something and have it completely, you know, make sure it would fit in their development.....but of course the primary concern is what the Village wants to do. I think the next step would be, I could put together something, a memo to the Board, I could consult with Larry on the legality of certain things. But I would take it from a planning perspective, in terms of property constraints, traffic and what would be appropriate for, for this property and you also have to consider other properties in the Village as well. So, you wouldn't be changing the Code just for this property, it would be schools in general."

Chairman Cook: "Okay, any other comments. There's no motion to pass or..... You have any other comments for us?"

Rabbi Fromowitz: "I'd like to introduce you to some of the members here if you'd like to ask them any questions. Our architect, David Mayerfeld, he designed the building on Grandview and I think we want to put in for some kind of award on that building because it's such a magnificent structure."

Chairman Cook: "Who will be the contact man? This gentlemen here would be the contact man?"

Rabbi Fromowitz: "Leonard Jackson's office is doing the site development."

Member Lamer: "But I did watch the other building going up because my twins went through, K through third grade....."

Rabbi Fromowitz: "....oh, across the street. Well, because it took us about 18 months but it was, you know, I think that it went pretty well."

Mr. Mayerfeld: "I also designed the one in Spook Rock."

Rabbi Fromowitz: "So he knows the area."

Mr. Mayerfeld: "Where the dormitories are going in that's a totally different age population."

Chairman Cook: "Are you a local architect?"

Mr. Mayerfeld: "Yes I am."

Member Winter: "You kind of notice that one."

Mr. Mayerfeld: "Thank you."

Rabbi Fromowitz: "Dennis Jackson is from Leonard Jackson's office and they're designing the drainage, sanitary lines, all the utilities that will be coming to the building and we're trying to be very creative in what we're presenting. Again, the easiest thing would be to just use the plateau and, you know, knock down the trees and everything, and we don't want to do that. We want to really preserve the beauty of the property. Mr. Kazarnovsky is an attorney, he's our president and Mr. Finkel is Chairman of the Board."

Chairman Cook: "All local people?"

Rabbi Fromowitz: "Yes, we're all local people and we thank you for your time and we hope to be working together with you. Have a good evening."

Chairman Cook: "Any other comments? Motion to adjourn? Mr. Shechter, you have a comment or something?"

Mr. Shechter: "No."

Mr. Chambers: [Asked about the Charter School and if it was being built in Pomona.]

Member Lamer moved to adjourn the meeting, seconded by Chairman Cook. Motion carried 5-0.

Meeting adjourned at 9:40 p.m.

Respectfully submitted,

Malverne J. Toll